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for Human Rights

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Arthur C. Helton, Director, Refugee Project

February 5, 1991

By Federal Express

Rear Admiral Walter Leland
Chief, Law Enforcement
and Defense Operations
United States Coast Guard
2100 Second Street, S.W.
Washington, DC 20593

Dear Rear Admiral Leland:

We write as one of a number of humanitarian groups in the United States which are concerned about the continuing interdiction and return of Haitian boat people under a program administered by the United States Coast Guard, and to request a meeting to discuss these concerns.

Since its inception in October of 1981, the Haitian interdiction program has resulted in the return of over 23,000 Haitians intercepted by Coast Guard vessels on the high seas. To date, we understand that only 11 Haitians have been brought to the United States in order to pursue claims for political asylum as they were deemed possibly to have a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Three of this total were brought in last month, apparently under the terms of new procedures being considered by the Immigration and Naturalization Service (INS) to provide greater safeguards for interdicted Haitians who may wish to seek asylum. We understand, however, that the Coast Guard may have concerns about the operational difficulties that would be engendered by full implementation of the INS proposals.

The enclosed copy of our report, Refugee Refoulement: The Forced Return of Haitians Under the U.S.-Haitian Interdiction Agreement, finds that the criteria and procedures used in the

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Haitian interdiction program fail to identify potential refugees who should have their claims fully examined in the U.S. asylum procedure. The report finds that "at least hundreds" of Haitian refugees have been improperly returned to uncertain fates in Haiti, in violation of international refugee law. Several recommendations are made in the report to enhance the protections provided to Haitians in the interdiction program. Until such safeguard are implemented, it is our recommendation that the Haitian interdiction program be suspended.

As the U.S. Coast Guard plays an important operational role in the prosecution of the interdiction program, we would very much like to meet with you to discuss our concerns. We propose a meeting later this month with representatives from a few other human rights and religious groups that have a tradition of concern in the area.

We will contact your office shortly to follow up this communication.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur C. Helton".

Arthur C. Helton

Enclosure